

Delaware Harness Racing Commission

Rules Committee Meeting

August 2, 2017 at 10:00 A.M.

Delaware Department of Agriculture – Conference Center
Dover, DE

In Attendance:

Mark Davis, Executive Director	Beth Steele, DHRC Chairman
Andrew Kerber, Deputy Attorney General	

Dover Downs Vice President of Racing Charles Lockhart, Dover Downs Sr. Director of Racing John Hensley, Harrington Raceway Asst. GM Matt Sparacino, Harrington Raceway Facilities Manager Karen Craft, DSOA Executive Director Sal DiMario, Deputy Attorney General Stacey Cohee, DSBF Executive Administrator Judy Davis-Wilson, DHRC Presiding Judge Daniel Kazmaier

Minutes: Donna Krol

Commissioner George Staats was unable to attend.

CALL TO ORDER

At 10:05 a.m. Chairman Steele called the rules committee meeting to order and welcomed all in attendance.

Minutes:

Minutes from the 9-6-2016 Rules meeting were reviewed.

Discussion Topics:

o Proposed changes to DHRC Rule 6.0 Types of Races:

Presented by John Hensley, changes are as follows

6.2.2.1.8 Horse's claiming price in a specified number of previous races or during a specified period of time; horse's last one to three previous races;

6.2.2.1.9 Horse's purses raced for in a specified number of previous races or during a specified period of time;

6.2.2.1.~~10~~⁹ Delaware-owned or bred races as specified in 3 Del.C. §10032; or

6.2.2.1.1~~10~~ Delaware Owned or Bred Preferred.

6.2.2.1.1~~24~~ any one or more combinations of the qualifications herein listed.

Discussion on the above changes was heard. This change will enable tracks to fill races and write more classes for horses. The rule change can be made policy pending official rule change. Rule change will be sent to Commission for vote on August 8, 2017, to Registrar for September, back to Commission for final vote in October and back to Registrar to go final on 11-11-17.

Chairman Steele entertained a motion to send this proposed rule change to the Commission on August 8, 2017. Motion was carried by Sal DiMario and seconded by Matt Sparacino. Motion passed with unanimous voice vote.

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Discussion Topics: continued

- Review of 2017-Newly Adopted USTA Rules:

The rules and bylaw changes were adopted by the USTA Board of Directors at the 2017 Annual Meeting. These rules go into effect on May 1, 2017.

Copy of the rules and bylaw changes were each reviewed by the Rules Committee with notation to not adopt or adopt with changes to wording.

1. Rule 4.40 Dead Heat – Do not adopt
2. Rule 6.15(b) (2) Drivers and Trainers Name – For clarification only, Do not adopt.
3. Rule 6.15 (b) (16) Claiming Races - For clarification only, Do not adopt.
4. Rule 6.15 (b) (18) Notation of scratched – Discussion was heard on this change. Scratch information should not be mandated and should be up to the discretion of the Track. Do not adopt.
5. Rule 6.15(b) new subsection (20) Standard symbol - For clarification only, Do not adopt.
6. Rule 7.02 Program Information- New subsection (f) – Currently being done, Do not adopt.
7. Rule 7.02 (f) (g) - For clarification only, Do not adopt.
8. Rule 7.02 (i) – Error should be J, For clarification only, Do not adopt.
9. Rule 13.05 Purse Money Distribution- Currently being done, Do not adopt.
10. **Rule 18.13 Horse Breaking from Gait – Discussion was heard on this topic.**
ACTION ITEM: Mark Davis and Dan Kazmaier will come back with alternative rule with wording that fits the DHRC Rulebook at the September Rules Meeting.
11. Rule 18.23 Pylon Violations – Discussion was heard on this topic. This should not be mandated and should be up to the Judges' discretion. Do not adopt.
12. Thru 16. Racing Under Saddle- Not applicable.
2017 Bylaw Amendments – Not applicable.

- Trainer of Record discussion:

DHRC Rule 5.3.1.3 if more than one person receives any form of compensation, directly or indirectly, for training the horse, then the principal trainer or trainers must be listed as “trainer of record”. It shall be a violation for the principal trainer or trainers of a horse not to be listed as “trainer of record”, and, if such unlisted principal trainer or trainers are licensees of the Commission, then he, she or they shall be subject to a fine and/or suspension for such violation. In addition, it shall be a violation for a person who is not the principal trainer of the horse to be listed as “trainer of record”, and such person shall be subject to a fine and/or suspension for such violation. Principal trainers and programmed trainers shall be equally liable for all rule violations. For purposes of this rule, the Steward and judges shall use the following criteria in determining the identity of the principal trainer or trainers of a horse:

5.3.1.3.1 The identity of the person who is responsible for the business decisions regarding the horse, including, but not limited to, business arrangements with and any payments to or from owners or other trainers, licensed or otherwise, veterinarians, feed companies, hiring and firing of employees, obtaining workers' compensation or proof of adequate insurance coverage, payroll, horsemen's bookkeeper, etc.;

5.3.1.3.2 The identity of the person responsible for communicating, or who in fact does communicate, with the racing secretary's office, stall manager, association and track management, owners, etc. regarding racing schedules and other matters pertaining to the entry, shipping and racing of the horse;

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- **Trainer of Record discussion:** *continued*

5.3.1.3.3 The identity of the person responsible for the principal conditioning of the horse;

5.3.1.3.4 The identity of the person responsible for race day preparation including, but not limited to, accompanying the horse to the paddock or ship-in barn, selection of equipment, authority to warm up the horse before the public, discussion with the driver of race strategy, etc.; and

5.3.1.3.5 The identity of the person who communicates on behalf of the owner with the Steward, judges and other Commission personnel regarding the horse, including regarding any questions concerning the location or condition of the horse, racing or medication violations, etc.

Mark Davis noted that this is just a conversation and discussion before the DHRC Rule wording is possibly changed and clarified. Stacey Cohee stated that both terms "Trainer of Record" and perhaps "Stable" need to be defined for the DHRC Rule book. Everyone present agreed that there violations of this rule present among the horsemen and something needs to be done. Stacey Cohee stated that if the Judges' find a violation of the rule they have the right to ask for information as well as locate and speak to witnesses. If necessary, Stacey Cohee can subpoena records.

ACTION ITEM: Mark Davis, Stacey Cohee and Dan Kazmaier will work together on the definitions for Trainer of Record. They will also work on the re-wording of Rule 5.3.1.3. When this is completed it will go to Andrew Kerber for review and then out to the Rules Committee members. This will not wait for the next Rules Meeting in September but will be done as soon as possible.

- **Next Rule Committee Meeting:**

Meeting Date changed from 9-5-17 to **9-19-17**.

Agenda Items:

Follow up from 9-6-16, Suspension of Horse with Drug Positive

PUBLIC COMMENT:

Rules Committee Meetings are considered Public Meetings and will follow the same guidelines as public meetings including: agenda posted on State Calendar, minutes taken during the meeting, approved at the next Rules Meeting and posted on State Calendar.

CLOSE OF MEETING:

With no further business to discuss Chairman Steele entertained a motion to adjourn. Motion was carried by Matt Sparacino and seconded by John Hensley. Motion passed with unanimous voice vote.

Meeting was adjourned at 11:05 a.m.